



64041

Skyline Corporation  
2520 By-Pass Road  
P.O. Box 743  
Elkhart, Indiana 46515  
(219) 294-6521

April 28, 1989

Linda Philippsen  
Assistant Vice President

Ms. Susan Swales, 5HSM-12  
Superfund Program Management Branch  
U. S. Environmental Protection Agency, 5HS-11  
230 South Dearborn Street  
Chicago, IL 60606

CERTIFIED MAIL  
P 829 492 677

Dear Ms. Swales:

Re: Himco, Inc. Dump  
Elkhart County, Indiana

This is in response to Norm Niedergang's April 20, 1989 letter, which (totally without explanation) described our response to EPA's November 10, 1988 letter as "inadequate" and advised us of "potential liability" involving a dump site with which we had (to the best of our knowledge at that time) no relationship whatsoever. After five months, we were "encouraged" to respond within fifteen working days and provided with a detailed recitation of penalties for failure to comply with EPA's "Information Request".

Being thus duly confused and threatened, we contacted Robert Lance of the Remedial and Enforcement Response Branch to point out that our investigation showed that none of the six factories Skyline operates in Elkhart County have ever used Himco, Inc. waste disposal services. To our surprise, he informed us that EPA had an affidavit from Himco to the effect that Skyline had used Himco's services during the time period in question. We then called counsel for Himco, to try to find some explanation for the conflicting information we had received. It was during this conversation that Skyline first learned that the waste being hauled from its hangar at the local airport is the origin of Skyline's involvement in this matter.

It was not difficult to determine why no one at Skyline had thought of the hangar. It uses one-half of a 2-yard Himco container, which is picked up once a week, to dispose of routine office trash. At the present time, its neighbor at the airport leases the other half of this container.

The following is in response to the Requests, numbered correspondingly:

1. Eugene A. Gassere  
Vice President and General Counsel  
Skyline Corporation  
P.O. Box 743

RECEIVED  
MAY 03 1989

TECHNICAL SUPPORT  
SECTION

*Bringing America home.*

*Bringing America fun.*

Elkhart, IN 46515

Linda Philippsen  
Legal Assistant  
Skyline Corporation  
P.O. Box 743  
Elkhart, IN 46515

Teresa Jermano  
Secretary to the President  
Skyline Corporation  
P.O. Box 743  
Elkhart, IN 46515

Walt Young  
Pilot  
Skyline Corporation  
P.O. Box 743  
Elkhart, IN 46515

Patty Bachman  
(title or job description unknown)  
Himco Waste Away Service  
707 North Wildwood Avenue  
Elkhart, IN

Richard Paulen  
Counsel for Himco  
Barnes & Thornburg  
305 First National Bank Building  
301 South Main Street  
Elkhart, IN 46516

2. All of the company's real estate files covering Skyline's hangar property at the Elkhart airport were reviewed. However, no documents concerning Himco or waste disposal were located. Any invoices showing payment to Himco covering this time period have been destroyed in the normal course of business.

3. No one to the best of our knowledge and belief.

4. Skyline manufactures mobile homes and recreational vehicles; however, the only type of operation at Skyline's property (i.e. the hangar) which would have been served by Himco is storage of the company's five-passenger airplane.

5. N/A

6. The hangar waste hauled by Himco consisted of newspapers, office trash, grass clippings, leaves, coffee grounds, floor sweepings. The hangar also generates a small quantity of oil

(less than 15 gallons per year) which is immediately turned over to the company that operates the airport, for disposal with an approved hauler.

7. Skyline's hangar used Himco's services from 11-1-74 through the end of the period in question (December 1977), according to Himco's records as reported to us. Skyline did not have a hangar prior to late 1974.

8. To the best of our knowledge and belief, no such documents exist. We believe Himco has a contract, and a copy may be available from it. In addition, see the answer to Request #2.

9. Not to the best of our knowledge and belief.

If there is anything unclear or in any way less than satisfactory about this response, please call me or Mr. Gassere at 219/294-6521. We feel strongly that better communications can save all of us a great deal of time and trouble - e.g. if you had told us Himco said they had hauled waste from our hangar.

Very truly yours,

A handwritten signature in cursive script that reads "Linda Philippsen".

Linda Philippsen


STATE OF INDIANA       )  
                              )SS:  
COUNTY OF ELKHART     )

This affidavit is supplied as called for in Paragraph 7 of the instructions accompanying EPA's information request dated April 20, 1989.

I am Vice President and General Counsel of Skyline Corporation, and have been employed by the company since 1968.

At my direction, a diligent search for records and documents has been completed and a diligent inquiry made of all present or past Skyline employees and any other persons believed to be possible sources of information regarding Skyline's possible use of Himco waste hauling services in the Elkhart, Indiana area during the period 1960-1979.

The attached letter dated April 28, 1989 from Mrs. Linda Philippsen accurately reflects the results of this inquiry, to the best of my knowledge and belief.

  
Eugene A. Gassere

SUBSCRIBED AND SWORN to before me this 28<sup>th</sup> day of  
April, 1989.

  
Notary Public

My Commission Expires:

November 28, 1992